

Committee Agenda

Committee: House Appropriations
Room: LCR1
Date: Wednesday, February 16, 2011
Time: 10:00 AM (Or 15 minutes after Joint Appropriations Committee adjourns)

Individuals needing assistance, pursuant to the Americans with Disabilities Act, should contact the Legislative Research Council (605-773-3251) 48 hours before convening to make any necessary arrangements.

[SB 37](#) **revise the appropriation for the construction and renovation of a combined minimum security and parole facility in Rapid City and to declare an emergency.**
The Committee on Appropriations at the request of the Department of Corrections

[HB 1227](#) **transfer money from the health care trust fund.**
Representatives Dennert, Blake, Feickert, Feinstein, and Gibson and Senator Hundstad

[HB 1239](#) **increase the amount transferred from the health care and education enhancement trust funds.**
Representatives Greenfield, Abdallah, Hawley, Kirkeby, Lucas, Street, and Wismer and Senators Sutton, Adelstein, Cutler, Hundstad, and Rampelberg

BILLS FOR POSSIBLE ACTION WHICH HAVE HAD PRIOR HEARING.

[HB 1194](#) **create the South Dakota endowment fund.**
Representatives Wick, Bolin, Dryden, Fargen, Kopp, Nelson (Stace), and Sly and Senators Rhoden, Garnos, Krebs, Rampelberg, and Rave

[HB 1250](#) **revise certain provisions regarding the South Dakota opportunity scholarship program.**
The Committee on Appropriations at the request of the Office of the Governor

DEAN WINK, Chair

86th Legislative Session – 2011

Committee: House Commerce and Energy

Wednesday, February 16, 2011

P - Present
E - Excused
A - Absent

Roll Call

P Solum, Chair
P Conzet, Vice-Chair
P Willadsen
P Deelstra
P Greenfield
P Novstrup (David)
E Jensen
P Miller
P Hubbel
P Fargen
P Hawley
P Jones
P Kirschman

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Chairman Solum.

MOTION: TO APPROVE THE MINUTES OF MONDAY, FEBRUARY 14, 2011

Moved by: Greenfield
Second by: Conzet
Action: Prevailed by voice vote.

THE CHAIR DEFERRED SB 44 UNTIL ANOTHER DAY

SB 38: establish network adequacy standards, quality assessment and improvement requirements, utilization review and benefit determination requirements, and grievance procedures for managed health care plans, and to repeal certain standards for managed health care plans.

Presented by: Randy Moses, Division of Insurance
Proponents: Darla Pollman-Rogers, Wellmark Blue Cross Blue Shield of SD

MOTION: DO PASS SB 38

Moved by: Willadsen
Second by: Kirschman
Action: Prevailed by roll call vote. (12-0-1-0)

Voting Yes: Solum, Conzet, Willadsen, Deelstra, Greenfield, Novstrup (David), Miller, Hubbel, Fargen, Hawley, Jones, Kirschman

Excused: Jensen

SB 45: repeal the requirement to prepare a report on extending health insurance to medically uninsurable individuals who are not part of a small employer group.

Presented by: Randy Moses, Division of Insurance

MOTION: DO PASS SB 45

Moved by: Hawley
Second by: Fargen
Action: Prevailed by roll call vote. (12-0-1-0)

Voting Yes: Solum, Conzet, Willadsen, Deelstra, Greenfield, Novstrup (David), Miller, Hubbel, Fargen, Hawley, Jones, Kirschman

Excused: Jensen

MOTION: PLACE SB 45 ON CONSENT CALENDAR

Moved by: Greenfield
Second by: Fargen
Action: Prevailed by voice vote.

SB 110: revise certain provisions relating to collateral real estate mortgages.

Presented by: Representative David Novstrup
Proponents: Brett Koenecke, SD Bankers Association

MOTION: DO PASS SB 110

Moved by: Conzet
Second by: Deelstra
Action: Prevailed by roll call vote. (12-0-1-0)

Voting Yes: Solum, Conzet, Willadsen, Deelstra, Greenfield, Novstrup (David), Miller, Hubbel, Fargen, Hawley, Jones, Kirschman

Excused: Jensen

MOTION: PLACE SB 110 ON CONSENT CALENDAR

Moved by: Deelstra
Second by: Kirschman
Action: Prevailed by voice vote.

SB 70: prohibit the creation of private transfer fee obligations and to require certain procedures for notice and disclosure for existing private transfer fee obligations.

Presented by: Dean Krogman, SD Association of Realtors
Proponents: Dee Jones Noordermeer, Executive Director, Real Estate Commission
Curt Everson, SD Bankers Association

MOTION: DO PASS SB 70

Moved by: Willadsen
Second by: Fargen
Action: Prevailed by roll call vote. (12-0-1-0)

Voting Yes: Solum, Conzet, Willadsen, Deelstra, Greenfield, Novstrup (David), Miller, Hubbel, Fargen, Hawley, Jones, Kirschman

Excused: Jensen

MOTION: PLACE SB 70 ON CONSENT CALENDAR

Moved by: Greenfield
Second by: Hubbel
Action: Prevailed by voice vote.

MOTION: PLACE HB1238 ON TODAY'S AGENDA.

Moved by: Greenfield
Second by: Willadsen
Action: Prevailed by roll call vote. (12-0-1-0)

Voting Yes: Solum, Conzet, Willadsen, Deelstra, Greenfield, Novstrup (David), Miller, Hubbel, Fargen, Hawley, Jones, Kirschman

Excused: Jensen

MOTION: TO TABLE HB 1238

Moved by: Fargen
Second by: Greenfield
Action: Prevailed by roll call vote. (11-1-1-0)

Voting Yes: Conzet, Willadsen, Deelstra, Greenfield, Novstrup (David), Miller, Hubbel, Fargen, Hawley, Jones, Kirschman

Voting No: Solum

Excused: Jensen

MOTION: ADJOURN

Moved by: Deelstra
Second by: Conzet
Action: Prevailed by voice vote.

Diane Mellan
Committee Secretary

Roger D. Solum, Chair

86th Legislative Session – 2011

Committee: House Education

Wednesday, February 16, 2011

P - Present
E - Excused
A - Absent

Roll Call

E Elliott
P Haggard
P Hunt
P Jones
P Killer
P Lucas
P Miller
P Perry
P Schaefer
P Stricherz
P Tulson
P Vanneman
P Venner
P Sly, Vice-Chair
P Brunner, Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Representative Brunner, Chair.

MOTION: TO APPROVE THE MINUTES OF MONDAY, FEBRUARY 14, 2011

Moved by: Lucas
Second by: Vanneman
Action: Prevailed by voice vote.

HB 1229: repeal the requirement for a school district with an enrollment of one hundred or fewer students to reorganize.

Presented by: Tony Venhuizen, Office of the Governor

Proponents: Melody Schopp, Department of Education
Wayne Lueders, Associated School Boards of SD
Charlie Flowers, SD Coalition of Schools
Scott Swier, Small School Adjustment Alliance
Bryce Healey, SDEA
Representative Susy Blake

Gavel was passed to Representative Sly.

Opponents: Representative Thomas Brunner

MOTION: DO PASS HB 1229

Moved by: Lucas
Second by: Killer
Action: Prevailed by roll call vote. (10-3-2-0)

Voting Yes: Haggar, Hunt, Killer, Lucas, Perry, Schaefer, Stricherz, Tulson, Vanneman, Venner

Voting No: Miller, Sly, Brunner

Excused: Elliott, Jones

Gavel returned to Representative Brunner.

HB 1091: repeal the provision requiring certain school districts with a fall enrollment of less than one hundred to reorganize.

Presented by: Representative Larry Lucas

MOTION: TO TABLE HB 1091

Moved by: Sly
Second by: Miller
Action: Prevailed by roll call vote. (12-0-2-0)

Voting Yes: Haggar, Hunt, Killer, Lucas, Miller, Perry, Schaefer, Stricherz, Tulson, Vanneman, Venner, Sly

Excused: Elliott, Jones

MOTION: REMOVE HB 1093 FROM THE TABLE

Moved by: Perry

Second by: Venner

Action: Prevailed by roll call vote. (11-3-1-0)

Voting Yes: Haggar, Hunt, Miller, Perry, Schaefer, Stricherz, Tulson, Vanneman, Venner, Sly, Brunner

Voting No: Jones, Killer, Lucas

Excused: Elliott

HB 1093: provide for the sharing of certain school administrators and other school service specialists by certain school districts through the education service agencies.

Presented by: Representative Tad Perry

MOTION: AMEND HB 1093

1093ca

On the printed bill, delete everything after the enacting clause and insert:

" Section 1. The Legislature shall utilize this bill to identify and repeal certain unnecessary education mandates to allow the postsecondary technical institutes and the institutions under the control of the Board of Regents to operate more economically."

Moved by: Perry

Second by: Sly

Action: Prevailed by voice vote.

MOTION: DO PASS HB 1093 AS AMENDED

Moved by: Perry

Second by: Venner

Action: Prevailed by roll call vote. (11-3-1-0)

Voting Yes: Haggar, Hunt, Miller, Perry, Schaefer, Stricherz, Tulson, Vanneman, Venner, Sly, Brunner

Voting No: Jones, Killer, Lucas

Excused: Elliott

MOTION: AMEND TITLE OF HB 1093

1093cta

On page 1, line 1, of the printed bill, delete everything after "An Act to" and insert "repeal certain education mandates to allow the postsecondary technical institutes and the institutions under the control of the Board of Regents to operate more economically."

On page 1, delete lines 2 and 3.

Moved by: Perry
Second by: Venner
Action: Prevailed by voice vote.

MOTION: ADJOURN

Moved by: Hunt
Second by: Sly
Action: Prevailed by voice vote.

Joshua Klumb
Committee Secretary

Thomas J. Brunner, Chair

Committee Agenda

Committee: House Judiciary
Room: 413
Date: Wednesday, February 16, 2011
Time: 10:00 AM

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- [HB 1079](#) **repeal certain provisions related to the purchase of firearms by out-of-state residents.**
Representatives Gosch, Bolin, Brunner, Conzet, Gibson, Hunt, Liss, and Novstrup (David) and Senators Olson (Russell), Begalka, Brown, Frerichs, Peters, Rave, and Tieszen
- [HB 1219](#) **extend certain protections against precipitous eviction to certain long-term tenants at will.**
Representatives Stricherz, Elliott, Jensen, Killer, Magstadt, Nelson (Stace), Tornow, and Willadsen and Senator Lederman
- [HB 1237](#) **provide for an individual mandate to adult citizens to provide for the self defense of themselves and others.**
Representatives Wick, Brunner, and Greenfield and Senators Rampelberg and Begalka
- [HB 1241](#) **revise certain penalties for the sale or service of an alcoholic beverage to a person under the age of twenty-one.**
Representative Greenfield
- [HB 1242](#) **authorize the use of tribal identification cards as the equivalent of certain state-issued documents for identification purposes.**
Representatives Killer, Elliott, Fargen, Hunhoff (Bernie), Iron Cloud III, Kirschman, Lucas, Schrempp, Sigdestad, Stricherz, and Wismer and Senators Bradford, Buhl, Frerichs, Lederman, Maher, Nygaard, Schlekeway, and Sutton
- [HB 1255](#) **provide for the award of joint physical custody of children under certain circumstances.**
The Committee on Health and Human Services
- [HJR 1004](#) **Proposing and submitting to the electors at the next general election an amendment to Article V, section 1 of the Constitution of the State of South Dakota relating to prohibiting the application of international law, the law of foreign nations, and certain foreign religious or moral codes in the state courts of South Dakota.**
Representatives Jensen, Bolin, Boomgarden, Brunner, Deelstra, Greenfield, Haggard, Hansen (Jon), Hickey, Hoffman, Hubbel, Kopp, Liss, Magstadt, Miller, Munsterman, Nelson (Stace), Olson (Betty), Schaefer, Solum, Steele, Stricherz, Tornow, Tulson, Van Gerpen, Vanneman, Verchio, and Willadsen and Senators Rhoden, Kraus, Lederman, Maher, and Schlekeway

Any bills listed on this agenda but not acted on today, will be heard and acted on tomorrow, February 17, 2001 in room 464.

ROGER W. HUNT, Chair

Committee Agenda

Committee: House State Affairs
Room: 414
Date: Wednesday, February 16, 2011
Time: 7:45 AM

Individuals needing assistance, pursuant to the Americans with Disabilities Act, should contact the Legislative Research Council (605-773-3251) 48 hours before convening to make any necessary arrangements.

[HB 1112](#) **affect health care.**
Representative Cronin and Senator Rave

[HB 1113](#) **affect medical services.**
Representative Cronin and Senator Rave

[HB 1230](#) **establish the large project development fund, to provide for its administration, and to make an appropriation therefor.**
The Committee on State Affairs at the request of the Office of the Governor

[HB 1231](#) **provide for the sale of certain surplus real estate, to appropriate the proceeds to the revolving economic development and initiative fund, and to revise certain provisions relating to the sale of certain surplus property.**
The Committee on State Affairs at the request of the Office of the Governor

[HB 1232](#) **provide for the sale of certain surplus real estate, to provide for the deposit of the proceeds, and to revise certain provisions relating to the sale of certain surplus property.**
The Committee on State Affairs at the request of the Office of the Governor

[HB 1236](#) **provide for a temporary decrease of legislator salaries and to make certain annual adjustments to legislator salaries.**
Representatives Willadsen, Carson, Cronin, Deelstra, Dennert, Feinstein, Haggar, Hickey, Hoffman, Hubbel, Kloucek, Magstadt, Moser, Munsterman, Perry, Rausch, Rozum, Schaefer, Sigdestad, Sly, Stricherz, Tornow, Turbiville, Van Gerpen, and White

BILLS FOR POSSIBLE ACTION WHICH HAVE HAD PRIOR HEARING.

DAVID LUST, Chair